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Chapter No. 84
15/HR03/A450SG
SCW 1/10/15

HOUSE BILL NO. 1545

Originated in House



Clerk

HOUSE BILL NO. 1545

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL
YEAR 2016.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be
necessary, is appropriated out of any money in the State General
Fund not otherwise appropriated, for the support and maintenance
of the Department of Marine Resources for the fiscal year
beginning July 1, 2015, and ending June 30, 2016
..... \$ 1,143,945.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is appropriated out of any money in any special fund in
the State Treasury to the credit of the Department of Marine
Resources for the fiscal year beginning July 1, 2015, and ending
June 30, 2016 \$ 19,607,921.00.

Of the funds appropriated in this section, Three Million
Fifty Thousand Dollars (\$3,050,000.00) is derived from the state
excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	99
	Part Time	0
Time-Limited:	Full Time	54
	Part Time	1

Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2017 do not exceed Fiscal Year 2016 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2016 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2016 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal

Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2016 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2015. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2017 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2016 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3452 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2015, and ending June 30, 2016 \$ 9,787,443.00.

Of the funds appropriated in this section, the following projects are authorized:

PROJECT NO.	PROJECT ACCESS PROJECTS	AMOUNT
Harrison County:		
FY16 P600-01PC	West Bulkhead Wall Reconstruction	
	-City of Pass Christian ... \$	74,625.00
FY16 P603-01GP	Improvements to Bert Jones	
	Yacht Basin	

		- City of Gulfport	\$	400,000.00
FY16	P612-0101	Fountain Beach Public Access		
		- City of D'Iberville	\$	200,000.00
FY16	P613-01LB	FY2016 - Harbor Improvements		
		- Long Beach Port Commission	\$	400,000.00
FY16	P620-01B1	Hiller Park Waterfront Access		
		Improvements		
		- City of Biloxi	\$	104,722.00
FY16	P620-02B1	Sediment Removal for Public Access		
		- City of Biloxi	\$	225,000.00
FY16	P621-01	Public Access Improvements at Camp		
		- Camp Wilkes	\$	75,000.00
FY16	P622-02	Beauvoir Land Acquisitions		
		- Beauvoir	\$	75,375.00
FY16	P626-01	East City of Biloxi Boat Launch		
		- Harrison County Board		
		of Supervisors	\$	100,000.00
FY16	P626-04	Merlin Necaise Boat Launch Improvements		
		- Harrison County Board		
		of Supervisors	\$	100,000.00
FY16	P627-02	Rebuild of Museum including Education		
		Programs & Camp Scholarships		
		- Maritime and Seafood		
		Industry Museum	\$	100,000.00

Jackson County:

FY16	P602-02JC	LeMoyne Boulevard Kayak Launch		
		- Jackson County Board		
		of Supervisors	\$	100,000.00
FY16	P606-02MGC	MGCCC - Jackson County Johnston		
		Island Access Pier		
		- MGCCC - Jackson County		
		Campus	\$	200,000.00
FY16	P618-01	Shepard State Park Improvements		
		- City of Gautier	\$	100,000.00
FY16	P618-02	City Park Community Center		
		Phase III		
		- City of Gautier	\$	250,000.00
FY16	P604-03PA	Lowry Island Redevelopment		
		- City of Pascagoula	\$	200,000.00
FY16	P602-03JC	Bayou Cumbest Boat Launch Phase 1		
		- Jackson County Board of		
		Supervisors	\$	200,000.00
FY16	P604-02PA	Beachfront Promenade		
		- City of Pascagoula	\$	175,000.00
FY16	P648-35	Waterfront Access for Education		
		at Cedar Point		
		- USM	\$	164,000.00
Hancock County:				
FY16	P610-02HN	McLeod Park Improvements		
		- Hancock County	\$	107,000.00

FY16	P614-01DH	Enhancement of Rotten Bayou Watershed Quality including Bay St. Louis	
		- City of Diamondhead	\$ 493,000.00
FY16	P646-01	Public Restroom Facility	
		- City of Waveland... ..	\$ 75,000.00
FY16	P610-01HN	Washington Street Waterfront Improvements	
		- Hancock County.....	\$ 75,000.00
DMR -		Aquaculture.....	\$ 500,000.00
Total		Public Access Projects.....	\$ 4,493,722.00
Total		Management Projects	\$ 4,493,721.00
Bond		Repayment	\$ 800,000.00
Total		Tidelands Funds:	\$ 9,787,443.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2015. All proposals

submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 6. It is the intention of the Legislature that the commission shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 7. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things

stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.


SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. Of the funds appropriated in Section 2, Nine Million Dollars (\$9,000,000.00) is available for the BP Settlement.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 30, 2015


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 30, 2015


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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